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Attorney Docket No. 20757USCON8  
U.S. Serial No. 10/625,648

**FILING BY "FIRST CLASS MAIL" UNDER 37 C.F.R. § 1.8**

I hereby certify that the following correspondence is being deposited with the United States Postal Service as "First Class Mail" with proper postage in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 30, 2006

- 1) Reply to Restriction/Election Requirement (2 pages total)
- 2) Return Postcard

Melissa Hardy

Name

Melissa Hardy

Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Peter B. Heifetz

SERIAL NO.: 10/625,648

FILED: July 23, 2003

TITLE: HERBICIDE TOLERANCE  
ACHIEVED THROUGH PLASTID  
TRANSFORMATION



GROUP ART UNIT: 1639

EXAMINER: LUNDGREN, J.

ATTORNEY DOCKET NO: 20757USCON8

CONFIRMATION NO.: 9729

**REPLY TO RESTRICTION/ELECTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Restriction/Election Requirement dated March 31, 2006 requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby elect to prosecute the invention of Group I, claims 1-4, drawn to a manipulated DNA molecule that encodes a protox enzyme, classified in class 536, subclass 23.1. This election is made without traverse.

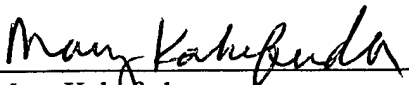
Applicants reserve their statutory right under §121 to prosecute the subject matter of the non-elected inventions in a timely-filed application.

Applicants believe no fee is required with this submission. However, if a fee is deemed necessary, the Commissioner is hereby authorized to charge any fees, which may be required under 37 CFR §1.17 to Deposit Account No. 50-1744 in the name of Syngenta Biotechnology, Inc.

Syngenta Biotechnology, Inc.  
3054 Cornwallis Road  
Research Triangle Park, NC 27709-2257

Date: April 24, 2006

Respectfully submitted,

  
\_\_\_\_\_  
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